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ORAL INTERVENTION BY AMNESTY INTERNATIONAL

EXTRAJUDICIAL EXECUTIONS AND "DISAPPEARANCES"

Mr Chairman,

The recent adoption by the General Assembly of the Declaration on the Protection of All Persons from Enforced Disappearances addresses an important gap in the international human rights framework. Together with the 1989 Principles for the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, international standards now incorporate concrete measures which states should implement to prevent such grave violations, to carry out impartial and independent investigations and to bring those responsible to justice. In addition, two of the Commission's thematic mechanisms have made enormous efforts for more than a decade specifically aimed at eradicating extrajudicial executions and "disappearances".

Yet, an examination of the continued and persistent occurrence of these violations in all regions of the world might lead one to think that the international community had never turned its attention to these issues.

In IRAQ in 1992 hundreds of people were the victims of the government's continuing policy of "disappearances" and extrajudicial execution, among them Shi'a Muslims arrested after the March 1991 uprising and reportedly extrajudicially executed between March and June 1992. Scores of unarmed civilians in the southern marshes have been killed following attacks on clearly civilian targets. Hundreds of others detained as part of a "punitive campaign" last October have since "disappeared" in custody. The fate of at least 200,000 Kurds and Arabs who "disappeared" since 1988 remains unknown. It is imperative that this Commission now responds to the proposal made by its Special Rapporteur a year ago, and endorsed by the General Assembly, to establish a human rights monitoring operation in the country if the continuation of such violations in the future is to be prevented.

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Amnesty International is an independent worldwide movement working impartially for the release of all prisoners of conscience, fair and prompt trials for political prisoners and an end to torture and executions. It is funded by donations from its members and supporters throughout the world. It has formal relations with the United Nations, Unesco, the Council of Europe, the Organization of African Unity and the Organization of American States.

Despite the massive scale of extrajudicial executions and "disappearances" over the past three decades in INDONESIA and EAST TIMOR, the international community has been largely silent. Up to one million civilians were arbitrarily executed in the aftermath of a military coup in 1965. Tens of thousands of people have been killed in East Timor since 1975, including at least 100 in Dili in November 1991, and hundreds more have "disappeared". An estimated 5,000 people were killed by government "death squads" between 1983 and 1985 in Java and other parts of Indonesia. Some 2,000 civilians in Aceh and North Sumatra have been extrajudicially executed since 1989 and scores of others have "disappeared" in the course of government efforts to suppress an independence movement. Few of these cases have been investigated and those responsible have rarely been brought to justice.

During the past two and a half years since President Fujimori came to power Amnesty International has documented 479 unresolved "disappearances" and a further 211 extrajudicial executions in PERU, but it believes that the numbers are far higher. In the areas with the highest numbers of deaths as a result of the internal armed conflict, local residents have felt unable to report human rights violations, and independent human rights defenders have been unable to visit them, for fear of reprisals from the security forces. Responsibility for the vast majority of documented cases in these and other emergency zones under political-military command has been attributed to the army. Yet, not a single member of the armed forces is known to have been convicted for violations by the present or previous two governments.

In many countries members of vulnerable groups are at particular risk of extrajudicial execution or "disappearance". In MYANMAR, members of ethnic minorities have been the primary targets. Civilians forcibly conscripted to work for the security forces have been shot or beaten to death when they cannot perform their duties or attempt to escape. Other victims have been extrajudicially executed in counter-insurgency activities in "free-fire" zones or because they were accused of contact with insurgents.

The army in SUDAN and militia operating with official support have been responsible for tens of thousands of extrajudicial executions in the war zones since 1983. In the past two years hundreds of people have been extrajudicially executed during forced removals of local residents from the Nuba Mountains. Between June and August 1992 government forces reportedly deliberately killed at least 300 people in the besieged city of Juba. Hundreds of others were arrested and have "disappeared" – most are believed to have been deliberately killed.

In southeast TURKEY in 1992 security forces killed at least 100 apparently unarmed civilians during peaceful demonstrations or random firing on residential areas in what they said was retaliation for attacks by the Kurdish Workers' Party (PKK), an armed opposition group. Nearly 100 other civilians were victims of possible extrajudicial executions by security forces, including journalists reporting on human rights violations and dozens killed by village guards for refusing to enlist in their ranks. More than 260 political killings were attributed to Hizbullah, a fundamentalist organization, many of which appear to have been in collusion with security forces. Almost no independent and impartial inquiries have been conducted and most prosecutors appear to be unwilling or unable to investigate these incidents.

It is essential to continue to press for the resolution of cases of "disappearance" until the fate and whereabouts of the victims are established and the perpetrators are brought to justice. In MOROCCO, more than 270 "disappeared" persons "reappeared" in 1991, some after 18 years of secret detention. Although Amnesty International is not aware of any new cases of "disappearance" since 1988, the liberty of those released is still restricted, none of those responsible have been brought to justice and hundreds of "disappeared" remain unaccounted for.

The authorities in BURUNDI have refused to investigate extrajudicial executions over the past two decades, including the killing of at least 1,000 people by security forces in November and December 1991 – most of whom were minority Hutu civilians.

Mechanisms of human rights protection are in themselves unlikely to be sufficient to halt extrajudicial executions and "disappearances" unless the government has the political will to take effective measures to establish the truth and bring those responsible to justice. This is still notably lacking in COLOMBIA, notwithstanding important new human rights protection mechanisms established in the past two years. Members of the armed forces and paramilitary groups working with them continue to commit these violations with impunity.

Although the Government of SRI LANKA has stated that it will implement most of Amnesty International's recommendations for ending extrajudicial executions and "disappearances", and has said it will bring those believed responsible promptly to justice, investigations have been slow. Few of the trials of security force personnel – usually police officers, not soldiers – have concluded even after several years. The only massacre by soldiers to have been the subject of an independent commission of inquiry resulted in the acquittal of 19 of the 20 defendants by a military court.

Mr Chairman,

The scale and gravity of violations such as these can no longer be ignored. Although we recognize that a number of these violations have taken place in the context of abhorrent abuses by armed opposition groups, this can never justify governments committing such grave violations in response to such acts.

In October this year Amnesty International will launch a major international campaign against extrajudicial executions and "disappearances" to raise international awareness of the measures still needed to combat these crimes. We will demand that governments act immediately to stop these violations; ensure the safety and physical integrity of everyone put at risk by these practices; account for all victims; ensure impartial and effective investigations; and bring those responsible to justice.

We also urge that there be a special focus on the need for further efforts by the United Nations (UN) to address these and other gross violations of human rights in the context of the World Conference on Human Rights. In a paper prepared for the World Conference, Amnesty International is calling for the establishment of a UN Special Commissioner for Human Rights to address such gross violations which often demand a high level, authoritative and emergency response.

This year world attention will be focussed on human rights. We hope that this Commission, as the leading UN human rights body, will meet this challenge and, in particular, take innovative and creative steps to address extrajudicial executions and "disappearances", which rank among the most serious and persistent violations on its agenda.